

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SALEENA HART ESGUERRA,

Defendant.

Case No. 2:21-mj-00907-VCF

FINDINGS AND ORDER

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. The parties desire to continue the preliminary hearing to facilitate pre-indictment resolution. Defendant Saleena Hart Esguerra has been referred to U.S. Pretrial Services for a pretrial diversion program and will need additional time prior to a preliminary hearing or indictment to allow U.S. Pretrial Services to evaluate her viability. The Court finds good cause to continue the hearing to allow the parties to reach a pre-indictment resolution.

2. Both counsel for defendant and counsel for the government agree to the continuance.

3. Defendant Esguerra is not in custody and agrees to the continuance.

4. The continuance is not sought for the purposes of delay, but to allow defense counsel an opportunity to examine the merits of this case before a potential resolution can be reached between the parties.

1 5. Denial of this request could result in a miscarriage of justice, and the ends of
2 justice served by granting this request outweigh the best interest of the public and the
3 defendant in a speedy trial.

4 6. The additional time requested by this stipulation is excludable in computing
5 the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C.
6 § 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

7 THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the
8 above-captioned matter for defendant Saleena Hart Esguerra, previously scheduled for
9 December 5, 2022 at 4:00 p.m., be vacated and continued to February 6, 2023,
10 at 4:00 pm in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.

11 DATED this 30th day of November, 2022.



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14 HONORABLE CAM FERENBACH
15 UNITED STATES MAGISTRATE JUDGE
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